

SUMMARY ANALYSIS OF AMENDED BILL

Franchise Tax Board

Author: AR&T Committee Analyst: Kimberly Pantoja Bill Number: AB 2892

Related Bills: See Prior Analysis Telephone: 845-4786 Amended Date: 08/10/2000

Attorney: Patrick Kusiak Sponsor:

SUBJECT: Information Returns>Returns of Individuals and Fiduciaries/Interest on Unpaid Tax And Deficiencies

- ☒ DEPARTMENT AMENDMENTS ACCEPTED. Amendments reflect suggestions of previous analysis of bill as introduced March 9, 2000.
- ☐ AMENDMENTS IMPACT REVENUE. A new revenue estimate is provided.
- ☐ AMENDMENTS DID NOT RESOLVE THE DEPARTMENT'S CONCERNS stated in the previous analysis of bill as introduced/amended _____.
- ☒ FURTHER AMENDMENTS NECESSARY.
- ☐ DEPARTMENT POSITION CHANGED TO _____.
- ☒ REMAINDER OF PREVIOUS ANALYSIS OF BILL AS INTRODUCED March 9, 2000 STILL APPLIES.
- ☐ OTHER - See comments below.

SUMMARY OF BILL

This Franchise Tax Board (FTB) sponsored bill would add, amend, renumber and repeal various sections of the Revenue and Taxation Code (R&TC) to conform more closely to the language and structure of the Internal Revenue Code (IRC). These changes would consolidate provisions, delete obsolete provisions and change language for clarification pertaining to filing requirement thresholds, filing status and assessment of interest.

SUMMARY OF AMENDMENT

The August 10, 2000, amendments adopted the technical amendments proposed by the department's analysis of the bill as introduced March 9, 2000, and made other technical changes.

Technical Considerations

The amendments changed "under the penalties of perjury" to "under penalty of perjury." This new language is inconsistent with R&TC Section 18621 (based on IRC Section 6065). Those sections require that tax returns and other documents must be verified by a signature. Amendments 1 and 2 are provided to restore the wording to "under the penalties of perjury."

Amendments 3 and 4 make a technical correction, to move "of Title 15" to the correct location in the section.

BOARD POSITION

Support.

The Franchise Tax Board voted at its December 16, 1999, meeting to sponsor the language contained in this legislation.

Board Position:

<input checked="" type="checkbox"/> S	<input type="checkbox"/> NA	<input type="checkbox"/> NP
<input type="checkbox"/> SA	<input type="checkbox"/> O	<input type="checkbox"/> NAR
<input type="checkbox"/> N	<input type="checkbox"/> OUA	<input type="checkbox"/> PENDING

Legislative Director

Date

Johnnie Lou Rosas

8/24/00

Analyst	Kimberly Pantoja
Telephone #	845-4786
Attorney	Patrick Kusiak

FRANCHISE TAX BOARD'S
PROPOSED AMENDMENTS TO AB 2892
As Amended August 10, 2000

AMENDMENT 1

On page 8, line 34, strike "penalty" and insert:
the penalties

AMENDMENT 2

On page 10, line 7, strike "penalty" and insert:
the penalties

AMENDMENT 3

On page 15, line 17, after "80a-3" insert:
of Title 15

AMENDMENT 4

On page 15, line 22, strike "of Title 15"